

## REMARKS

Reconsideration in view of the foregoing amendments and the following remarks is respectfully requested. Moreover, the applicants have reviewed the Final Office Action of February 5, 2009, and submit that this paper is responsive to all points raised therein.

### I. Status of the Claims

Claims 33-35 and 42-44 are pending in the instant Patent Application.

Claims 33-35 and 42-44 have been allowed.

Claims 42 and 43 have been amended. These amendments address spelling and grammar and are directed to formalities only. These amendments are not substantive and were not made to avoid prior art.

Claims 4-27, 29, 30 and 45 were objected to, as including allowable subject matter if rewritten to include the limitations of the base claims.

Claims 1-32, 36-41 and 45-54 have been cancelled. This cancellation is made without prejudice, to move allowed claims 33-35 and 42-44 to issuance. In making this cancellation without prejudice, the applicants reserve all rights in these claims to file continuation and/or divisional patent applications.

### II. Rejections Under 35 USC § 102(e)

Claims 1-3, 28, 31, 32, 39-41, 53 and 54 were rejected under 35 USC § 102(e) as anticipated by Bronnimann, et al. (U.S. Patent Application Publication No. 2004/0044571).

Claims 1-3, 28, 31, 32, 39-41, 53 and 54 have been cancelled without prejudice as indicated above. Applicant in no way accepts or acquiesces to this rejection, but has

made the aforementioned cancellation of these claims to being allowed claims to an early issuance.

### **III. Rejections Under 35 USC § 103(a)**

Claims 36-38 were rejected under 35 USC § 103(a) as obvious by Bronnimann, et al. (U.S. Patent Application Publication No. 2004/0044571) in view of Taraborelli, et al., (U.S. Patent Application Publication No. 2003/0208578).

Claims 46-52 were rejected under 35 USC § 103(a) as obvious by Bronnimann, et al. (U.S. Patent Application Publication No. 2004/0044571) in view of Taraborelli, et al., (U.S. Patent Application Publication No. 2003/0208578).

Claims 36-38 and 46-52 have been cancelled without prejudice as indicated above. Applicant in no way accepts or acquiesces to this rejection, but has made the aforementioned cancellation of these claims to being allowed claims to an early issuance.

### **IV. Conclusion**

Should the Examiner have any question or comment as to the form, content, or entry of this paper, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Entry of this paper and allowance of all pending claims, 33-35 and 42-44, is respectfully requested.

The applicants believe that other than a fee associated with a three month Extension of Time, extending the response date to August 5, 2009, no further fees are currently due.

During the pendency of this application, the Commissioner for Patents is hereby authorized to charge payment of any filing fees for presentation of extra claims under 37 CFR 1.16 and any patent application processing fees under 37 CFR 1.17 or credit any overpayment to Mendelsohn, Drucker, & Associates, P.C. Deposit Account No. 50-0782.

The Commissioner for Patents is hereby authorized to treat any concurrent or future reply, requiring a petition for extension of time under 37 CFR 1.136 for its timely submission, as incorporating a petition for extension of time for the appropriate length of time if not submitted with the reply.

Respectfully submitted,  
Mendelsohn, Drucker, & Associates, P.C.

Date: August 5, 2009

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